

SEP 2 0 2004 DE TRADEMART

Att'y Dkt. No. 003-083 U.S. App. No. 10/660,523

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gisbert Wolfgang Kaefer

Art Unit: [to be assigned]

Appl. No.: 10/660,523

Examiner: [to be assigned]

Filing Date: 12 Sept. 2003

Atty. Docket: 003-083

Title: METHOD FOR OPERATING A FLUE GAS

**PURIFICATION PLANT** 

## INFORMATION DISCLOSURE STATEMENT

### Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

⊠1.		on Disclosure Statement is being filed within three months of the U.S. filing date mailing date of a first Office Action on the merits. No certification or fee is				
<b>2</b> .	The Information Disclosure Statement is being filed more than three months after the U.S. filir date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.					
		a.	Below is a certification under 37 C.F.R. § 1.97(e).			

		b.	Attached is my check nounder 37 C.F.R. § 1.17(p).	in the amount of \$	in payment of the fee			
		c.	Please charge my Deposit Acce fee under 37 C.F.R. § 1.17(p)	ount No. <u>50-2821</u> in the ar	mount of \$ for the			
<u></u> 3.	This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment the Issue Fee. Applicant hereby Petitions that the Information Disclosure Statement be considered.   Attached is my check please charge my Deposit Account No. 50-2821 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).							
<u> </u>	Certification(s) under 37 C.F.R. § 1.97(e):							
		a.	I hereby certify that each item of Disclosure Statement was first office in a counterpart foreign a filing of this Information Disclosure	cited in any communication application not more than	on from a foreign patent three months prior to the			
		b.	I hereby certify that no item of Statement was cited in a comm counterpart foreign application inquiry, was known to any indithree months prior to the filing C.F.R. § 1.97(e)(2).	unication from a foreign p or, to my knowledge after vidual designated in 37 C.	oatent office in a r making reasonable F.R. § 1.56(c) more than			
<u></u> 5.	Relevance of the non-English language document(s) is discussed in the present specification. See pages of the specification of the present application.							
⊠ 6.	The document(s) was/were cited in a corresponding foreign application; $\boxtimes$ a copy of a search report issued in the foreign application is attached, and/or $\square$ an English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 III (A)(3).							
7.	A concise explanation of the relevance of the non-English language document(s) is attached hereto or appears below.							
□ 8.	Applic issuance	The Examiner's attention is directed to co-pending U.S. Patent Application No, filed, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.						
<b>9</b> .	Copies of the documents were cited by or submitted to the Office in Application No, file, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached 37 C.F.R. § 1 98(d)							

	Copies of the documents cited in the International Search Report (PCT/ISA/210) and/or the International Preliminary Examination Report (PCT/IPEA/416) have been received by the U.S. P.T.O., as indicated on the Notification of Acceptance (PCT/DO/EO/903); accordingly, additional copies are not provided herewith. M.P.E.P. §§ 609 II, 1892.03(g). Copies of the U.S. patent documents cited on the PTO-1449 filed herewith are NOT provided, in accordance with Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003, 1276 Off. Gaz. Pat. Office 55 (August 5, 2003).
□ 12	
12.	Other:
	It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449,
and to i	ndicate in the official file wrapper of this patent application that the documents have been
conside	ered.
	Respectfully submitted,
	By:
	Adam J. Cermak
	Reg. No. 40391

Date: 20 Sept. 2004

# U.S. P.T.O. Customer Number 36844

Cermak & Kenealy LLP P.O. Box 7518 Alexandria, VA 22307-7518 703.768.0994



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FORM PTO 1449 (modified)	Att'y. Ref. No.: 003-083	App. No.: 10/660,523	
INFORMATION DISCLOSURE STATEMENT	APPLICANT(S): Gisbert Wolfgang Kaefer		
IN ORMATION DISCLOSURE STATEMENT	FILING DATE: 12 Sept. 2003	Group Art Unit:	

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	NAME	CLASS	SUBCLASS	FILING DATE

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	100 49 040 A1	13 June 2002	DE			□Yes □ No
	01/51178 A1	19 July 2001	WO			□Yes □ No
						□Yes □ No
						□Yes □ No

OTHER (Including Author, Title, Date, Pertinent Pages, Publisher, etc.)

Search Report from DE 102 42 774.7 (20 July 2004)

**EXAMINER** 

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.